



CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE
DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	COUNCIL ON REAL ESTATE APPRAISERS
MEETING DATE AND TIME:	Tuesday, June 18, 2013 at 9:30 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room A , 2nd floor of the Cannon Building
MINUTES APPROVED:	July 16, 2013

Members Present

Georgianna Trietley, Chair, Professional Member
Ronald Mandato, Vice Chair, Professional Member
Douglas Nickel, Professional Member
Lynn Baker, Professional Member
Brad Levering, Professional Member
Jan Jenkins, Public Banking Member
Frank Long, Public Member
Frank Smith, Public Member
Richard Wheeler, Public Member

Division Staff/Deputy Attorney General

Kevin Maloney, Deputy Attorney General
Amanda McAtee, Administrative Specialist II
Jeffrey Ford, Investigative Supervisor
Jean Betley, License Investigator

Members Absent

Public Present

Earl Loomis
Martin Durzak

Call to Order

Ms. Trietley called the meeting to order at 9:35 a.m.

Review and Approval of Minutes

The Council reviewed the minutes from the May 6, 2013 special meeting and the May 21, 2013 meeting. Mr. Baker made a motion, seconded by Mr. Nickel, to approve the minutes as submitted. By unanimous vote, the motion carried.

Review of Consent Agreement – Ryan Lipsitz

The Council reviewed the consent agreement for Ryan Lipsitz. After discussion, Mr. Long made a motion, seconded by Mr. Nickel to accept the consent agreement of Ryan Lipsitz. The motion carried unanimously.

Unfinished Business

Status of Complaint: 19-16-12

Ms. Trietley stated that complaint number 19-16-12 had been forwarded to the Attorney General's Office for review.

SB 38 Update

Ms. Trietley stated that an agreement with Rels Valuation and Dataquick was reached. A compromise was made to add an AMC member to the Council but they would have to be a resident of the State of Delaware and that the language was added to state that it would be a public banking member or an AMC member, the Council would remain at 9 members. There was a substitute Bill that would be introduced on Wednesday, June 19, 2013. No member of the Council would be available to attend the June 19th meeting. Ms. McAtee stated as long as someone was available by telephone the Council should be fine since all parties agreed with the substitute Bill. Ms. Trietley and Mr. Mandato stated that they would be available by telephone on Wednesday, June 19, 2013.

New Business

New Complaints

Complaint number 19-06-13 of New Castle County was assigned to Ms. Trietley
Complaint number 19-07-13 of Sussex County was assigned to Mr. Mandato

Ratification of Issued Licenses

Ms. McAtee stated that temporary practice permits would now go under the agenda section, "Ratification of Issued Licenses." Temporary practice permits truly need to be ratified not discussed. They used to appear under the agenda item "Review of Temp Applications (for discussion only)" and the Council is not supposed to vote in discussion only.

Mr. Nickel made a motion, seconded by Mr. Baker, to ratify the list of licenses issued below. The motion carried unanimously.

Bruce Gonce, CRRPA

Cory Burd, LRPA

John Huff, Trainee, Supervisor Steven Sachs, CRRPA

Todd Ruckle, Trainee, Supervisor Rex Doelze, CRRPA

David Salinas, Temporary Practice Permit, New Castle County

Christopher Wulff, Temporary Practice Permit, Sussex County

Roger G. Land, Temporary Practice Permit, Sussex County

Review of Application for Certified Assessor

Cheryl Russell

Ms. Trietley reviewed for the Council the application of Cheryl Russell for Certified Assessor. After discussion, Mr. Long made a motion, seconded by Mr. Mandato, to approve the Certified Assessor application of Cheryl Russell. The motion carried unanimously.

Ms. McAtee asked the Council if they would like to continue to review the assessor applications or if they would like to delegate authority to the Division. Ms. McAtee stated that the Division would only approve applications that were “clean” and that did not have disciplinary or criminal issues. Following discussion, Mr. Baker made a motion, seconded by Mr. Mandato, to delegate authority to the Division of Professional Regulation to issue licenses for certified assessors. The motion carried unanimously.

Ms. McAtee stated that there were some Rules and Regulations regarding the assessors that she wanted the Council to review and that she would have the review on the next agenda.

Review of Application for Examination

Kelli Holman

Ms. Trietley reviewed the examination application of Kelli Holman for the Council. After discussion, Mr. Long made a motion, seconded by Mr. Mandato, to approve Kelli Holman to sit for the Certified Residential Real Property Appraiser examination. The motion carried unanimously.

Review of Hearing Officer Recommendations

Phillip Randazzo, Jr.

The Council reviewed the hearing officer recommendation for Phillip Randazzo, Jr. After discussion, Mr. Nickel made a motion, seconded by Mr. Mandato, to accept the hearing officer recommendation for Phillip Randazzo, Jr. The motion carried unanimously.

Leo M. Skladany

The Council reviewed the hearing officer recommendation for Leo M. Skladany. After discussion, Mr. Baker made a motion, seconded by Mr. Nickel, to accept the hearing officer recommendation for Leo M. Skladany. The motion carried unanimously.

Bradford J. Houpt

The Council reviewed the hearing officer recommendation for Bradford J. Houpt. After discussion, Mr. Nickel made a motion, seconded by Ms. Jenkins, to accept the hearing officer recommendation for Bradford J. Houpt. The motion carried unanimously.

Dean C. Mazzotta

The Council reviewed the hearing officer recommendation for Dean C. Mazzotta. After discussion, Mr. Wheeler made a motion, seconded by Mr. Nickel, to accept the hearing officer recommendation for Dean C. Mazzotta. The motion carried unanimously.

Janardan Reddy Nukalapati

The Council reviewed the hearing officer recommendation for Janardan Reddy Nukalapati. After discussion, Mr. Nickel made a motion, seconded by Mr. Baker, to accept the hearing officer recommendation for Janardan Reddy Nukalapati. The motion carried unanimously.

August Daleo

The Council reviewed the hearing officer recommendation for August Daleo. After discussion, Mr. Nickel made a motion, seconded by Mr. Baker, to accept the hearing officer recommendation for August Daleo. The motion carried unanimously.

James J. Dougherty, Jr.

The Council reviewed the hearing officer recommendation for James J. Dougherty, Jr. Ms. McAtee stated that the hearing officer unit's paralegal Devashree Brittingham, recently received communication from the licensee's sister that Mr. Dougherty was currently hospitalized and that is why he had not responded to communications and did not appear for the hearing. After discussion, Mr. Nickel made a motion, seconded by Mr. Baker, to table the hearing officer recommendation for James J. Dougherty, Jr. pending additional information. The motion carried unanimously.

Ms. McAtee stated that she would contact the licensee's sister for further information.

Phillip C. Elliott

The Council reviewed the hearing officer recommendation for Phillip C. Elliott. After discussion, Mr. Nickel made a motion, seconded by Mr. Mandato, to accept the hearing officer recommendation for Phillip C. Elliott. The motion carried unanimously.

Jeremiah D. Smith

The Council reviewed the hearing officer recommendation for Jeremiah D. Smith. After discussion, Mr. Wheeler made a motion, seconded by Ms. Jenkins, to accept the hearing officer recommendation for Jeremiah D. Smith. The motion carried unanimously.

Review of Application for Temporary Practice Permit

Rodney Clough, New Castle County

Ms. Trietley reviewed the temporary practice permit application of Rodney Clough for the Council. Ms. McAtee stated that Mr. Clough had discipline from another jurisdiction and the Division could not approve the application on their delegation of authority. After discussion, Mr. Nickel made a motion, seconded by Mr. Mandato, to approve the temporary practice permit application of Rodney Clough. The motion carried unanimously.

Review of Experience Log

Deborah R. Katzman

The experience log review was assigned to Mr. Nickel.

Approval of Continuing Education Activities

Mr. Nickel made a motion, seconded by Mr. Mandato, to approve the applications listed below. The motion carried unanimously.

ACEI; dba: Calypso Continuing Education:

A Brief Historic Stroll through America's Architecture for Appraisers – 7 CEU Hours

Other Business before the Council (for discussion only)

Public Comment

Earl Loomis, questioned the Council if the recommendations from the hearing officer were public information. Mr. Maloney stated that he would confirm the public information status on those documents and would get back to him after the meeting.

Mr. Loomis stated that under the statute section 4016 disciplinary sanctions, there was nothing in there about the offering of a consent agreement and that a consent agreement was an option for the licensee. Mr. Maloney stated that it was up to the prosecuting attorney whether they wanted to enter into a consent agreement and that it was not the right of the licensee, it was an option that the prosecuting attorney had but it was not something that the licensee could

demand. Mr. Maloney stated that it would be fair to explain the consent agreement process during Mr. Loomis's course that a consent agreement is an option the prosecuting attorney had but did not have to use, and in some cases consent agreements are not offered.

Executive Session

Mr. Nickel made a motion, seconded by Mr. Baker, to enter executive session in order to discuss closed investigatory files, which were not part of public record. The motion carried unanimously.

Next Meeting

The next meeting is scheduled for July 16, 2013 at 9:30 a.m. in Conference Room A second floor, Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

Adjournment

Mr. Nickel made a motion, seconded by Ms. Jenkins to adjourn the meeting. There being no further business before the Council, the meeting adjourned at 12:05 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A McAtee', with a stylized flourish at the end.

Amanda McAtee
Administrative Specialist II

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Commission members and the public in supplementing their personal notes and recall for presentations.